

United States Senate

WASHINGTON, DC 20510

April 24, 2018

The Honorable Lamar Alexander
Chairman
Senate Appropriations Subcommittee on
Energy and Water Development
142 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Dianne Feinstein
Ranking Member
Senate Appropriations Subcommittee on
Energy and Water Development
142 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Alexander and Ranking Member Feinstein:

I write today to express my strong opposition to the Administration's request for \$48 million in the Nuclear Regulatory Commission's (NRC's) fiscal year (FY) 2019 budget to support licensing activities at the proposed Yucca Mountain nuclear waste repository. The Administration's FY 2019 budget includes this request despite Congress' continuous refusal to fund this fiscally reckless and ill-considered proposal, a position that this Committee recently reiterated in the FY 2018 omnibus spending bill. Under your leadership, Yucca Mountain has not been funded, something for which I commend you, and I would respectfully request the same result as you consider NRC funding for the coming fiscal year.

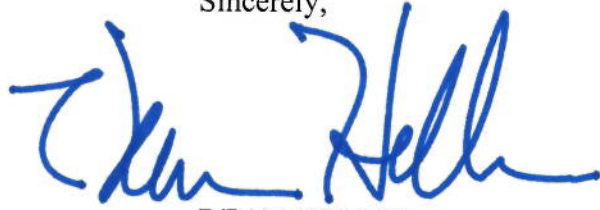
As you know, I firmly believe our nation cannot progress toward achieving viable and sustainable solutions for spent nuclear fuel and defense high-level waste without first abandoning Yucca Mountain. We all recognize that nuclear power is a necessary part of a stable and secure all-of-the-above energy strategy, and with nuclear energy comes the need to properly store spent nuclear fuel. However, this storage need does not outweigh the rights of states to have a say in the matter, and that is why I am ready to work with you, Chairman Alexander and Ranking Member Feinstein, members of this Committee, and Energy and Natural Resources Committee Chairman Murkowski to implement consent-based siting. I strongly believe that consent-based siting represents the best of both worlds: It provides a viable means of addressing our nation's nuclear waste problem while respecting the sovereignty of states to object to becoming a nuclear waste dump.

Beyond the breach of state sovereignty and the disregard for the will of the local population, the Yucca Mountain proposal poses significant health and safety risks and potentially catastrophic financial risks that must be addressed before – and not after – the proposal moves forward should it move forward at all. To date, however, Nevadans have not received any assurances from the NRC that their concerns will receive the process and consideration they are due under existing law. In fact, in my recent correspondence with NRC Chairman Svinicki, I have yet to receive a single commitment that the Commission will so much as implement procedural safeguards, like local hearings and local adjudication, to ensure parties directly affected by the proposal have the

opportunity to air their concerns and have them considered in an open and reasonably close forum.

Because of these outstanding and unresolved concerns, I continue to stand with the State of Nevada in its strong opposition to restarting licensing activities at the Yucca Mountain repository. I strongly urge you not to fund the Administration's request, and I yet again ask you to dedicate resources to the Department of Energy's consent-based siting initiative for the storage and disposal of nuclear waste. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dean Heller". The signature is fluid and cursive, with the first name "Dean" and the last name "Heller" clearly distinguishable.

DEAN HELLER
U.S. Senator